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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE COLLEGE ATHLETE NIL
 LITIGATION

Case No. 4:20-cv-03919-CW

**STIPULATION AND [PROPOSED] ORDER
 REGARDING FILING OF SECOND
 CONSOLIDATED AMENDED CLASS
 ACTION COMPLAINT**

Hon. Claudia Wilken

Pursuant to Northern District of California Civil Local Rule 7-12 and Federal Rule of Civil Procedure 15(a)(2), Plaintiffs in the above-captioned action and Defendants National Collegiate Athletic Association, Atlantic Coast Conference, The Big Ten Conference, Inc., The Big 12 Conference, Inc., Pac-12 Conference, and Southeastern Conference (collectively, “Defendants,” and together with Plaintiffs, the “Parties”), by and through their respective undersigned counsel, hereby submit the following Stipulation to permit the Plaintiffs to file the Second Consolidated Amended Class Action Complaint submitted herewith:

WHEREAS, on June 15, 2020, Plaintiffs filed the Class Action Complaint. ECF No. 1;

WHEREAS, on July 26, 2021, Plaintiffs timely filed the Consolidated Amended Class Action Complaint. ECF No. 164;

WHEREAS, Plaintiffs seek to supplement their claims to challenge all of Defendants’ restraints on college-athlete compensation and benefits—including, but not limited to, compensation for name, image and likeness and “pay-for-play”—and Defendants’ rules restricting the number and overall amount of athletic scholarships, as well as to add Plaintiffs and classes;

WHEREAS, the Defendants consent to Plaintiffs’ request to file the Second Consolidated Amended Class Action Complaint submitted herewith as Exhibit 1 and in redline format as Exhibit 2, for purposes of facilitating the resolution of this matter; and

WHEREAS, the Parties agree that Defendants do not need to file a pleading in response to the Second Consolidated Amended Class Action Complaint.

THEREFORE, the Parties hereby agree and stipulate that, upon order of this Court:

- Pursuant to Federal Rule of Civil Procedure 15(a)(2), Defendants consent to Plaintiffs filing the Second Consolidated Amended Class Action Complaint submitted herewith as Exhibit 1, which shall become the operative complaint; and
- Defendants shall not be required to file a pleading in response to the Second Consolidated Amended Class Action Complaint.

Dated: July 26, 2024

Respectfully submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP WINSTON & STRAWN LLP

By: /s/ Steve W. Berman

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the signatories above.

/s/ Steve W. Berman
STEVE W. BERMAN

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

HON. CLAUDIA WILKEN
UNITED STATES DISTRICT COURT JUDGE